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LEHNHARDT & ASSOCIATES
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SUITE 225
PRINCETON NY 08542

In re Application of
Irwin Klein et al
Application No. 09/998,346
Filed: November 30, 2001
Attorney Docket No. 830004-2001.2

ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed September 6, 2007, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The application became abandoned for failure to reply in a timely manner to the Restriction Requirement mailed August 30, 2005.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional information. See MPEP 711.03(c)(II)(C) and (D).

The petition and the Revocation and Power of Attorney submitted on September 6, 2007, appears not to be signed by a proper party of interest since the chain of title on the 3.73(b), also submitted on September 6, 2007, is not consistent with the recorded assignment records in the USPTO for the above application. A copy of this decision is being mailed to the address on the petition. However, all future correspondence will be mailed to the current address of record absent a proper Power of Attorney/3.73(b).

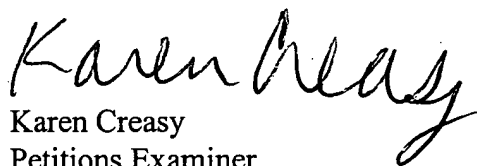
Further correspondence with respect to this matter should be addressed as follows:

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The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.



Karen Creasy
Petitions Examiner
Office of Petitions

cc:

BRUCE CLARKE
11755 WILSHIRE BOULEVARD SUITE 2000
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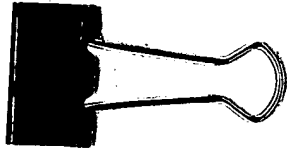
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